

REMARKS

The present Amendment cancels claims 1 and 12, amends claims 2-5, 8, 10, and 13, and leaves claims 6, 7, 9, 11, and 14 unchanged. Therefore, the present application has pending claims 2-11, 13, and 14.

Interview Summary

Applicants thank the Examiner for granting the interview conducted on December 6, 2007. In the interview, arguments were presented to overcome the cited references, particularly Elberbaum and Chun. Although the Examiner and Applicant's representative did not come to an agreement with regard to claims 1 and 12, the Examiner indicated that Applicants' arguments regarding claim 2 and 13 appeared to overcome the Elberbaum and Chun references. However, the Examiner indicated that further consideration would be required.

In this response, Applicants have reiterated the arguments made during the interview, and have rewritten claims 2 and 13 in independent form, including the limitations of their respective base claims, in accordance with the Examiner's recommendations.

Also in the interview, arguments were presented to overcome the 35 U.S.C. §112, second paragraph rejection of claims 1 and 12 (now canceled, the content of which has been incorporated in dependent claims 2 and 13, respectively). The Examiner agreed that by deleting "such that the respective image data recorders includes the same ID and the same image data", the claims would be in compliance with the provisions of 35 U.S.C. §112. In this response, Applicants have incorporated the Examiner's recommendations to overcome the rejection.

Claim for Foreign Priority (2nd Request)

Applicants filed a claim for foreign priority under 35 U.S.C. §119, claiming the right for priority based on Japanese Patent Application No. 2003-161642. The claim for foreign priority and the certified copy of the priority document was filed on February 13, 2004. However, in the May 14, 2007 and October 5, 2007 Office Actions, the Examiner did not check the box to show that "All" of the priority documents have been received. Therefore, Applicants respectfully request the Examiner's acknowledgement of Applicants' claim for foreign priority and receipt of the certified copy of the priority documents.

35 U.S.C. §112 Rejections

Claims 1 and 12 stand rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. This rejection is traversed for the following reasons. Applicants submit that claims 1 and 12, as now more clearly recited, are in compliance with the provisions of 35 U.S.C. §112.

35 U.S.C. §103 Rejections

Claims 1-4 and 8-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,171,106 to Elberbaum in view of U.S. Patent Application Publication No. 2003/0011678 to Chun. As previously indicated, claims 1 and 12 were canceled. Therefore, this rejection regarding claims 1 and 12 is rendered moot. With regard to the remaining claims 2-4, 8-11, 13, and 14, this rejection is traversed for the following reasons. Applicants submit that the features of the present invention, as now more clearly recited in claims 2-4, 8-11, 13, and 14, are not taught or suggested by Elberbaum or Chun, whether taken individually or in

combination with each other in the manner suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims to more clearly describe features of the present invention. Specifically, amendments were made to the claims to more clearly recite that the present invention is directed to an image data recording and reproducing system and a method for recording and reproducing image data as recited, for example, in independent claims 2 and 13.

The present invention, as recited in claim 2, and as similarly recited in claim 13, provides an image data recording and reproducing system. The system includes an image data input unit, and an ID generator coupled with the image data input unit, where the ID generator generates IDs and each ID is inserted into each of image data from the image data input unit, and where the ID relates to a video frame, and each ID inserted into each of the image data is different from each other. The system also includes a plurality of image data recorders coupled with the ID generator, to which the image data and the ID are applied, where the ID and the image data to which the ID is added are recorded in all of the plurality of image data recorders, respectively. According to the present invention, each of the plurality of image data recorders has an ID table and an image data storage area, the image data being recorded in the image data storage area, and position information of the image data recorded in the image data storage area being stored in relation to the ID in the ID table. Also included in the system is a terminal unit for outputting the image data recorded into the plurality of image data recorders, where when the ID is input in the terminal unit, the image data is output from one of the plurality of image data

recorders to the terminal unit in response to the ID. Furthermore, the system includes a load balancer having a load factor table, coupled with the plurality of image data recorders, for selecting one of the plurality of the image data recorders on the basis of the load factor of the load factor table to output the image data, where the load factor relates to a number of command applied from the terminal unit. The prior art does not teach or suggest all of these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record. Specifically, the features are not taught or suggested by either Elberbaum or Chun, whether taken individually or in combination with each other.

Elberbaum teaches a method and apparatus for processing, digitally recording and retrieving a plurality of video signals. However, there is no teaching or suggestion in Elberbaum of the image data recording and reproducing system or the method for recording and reproducing image data as recited in claims 2 and 13 of the present invention.

Elberbaum discloses a method and apparatus for processing and digitally recording video signals, where transmitters for generating video signals receive an external synchronizing signal for synchronizing the transmitters. A recorder receiving the video signals has a switch sequentially connecting the transmitters to a digital video recorder. Code signals corresponding to identification codes allotted to video signals are generated. An injection circuit mixes code signals into video signals. The digital video recorder has a copy including circuit for time and date signal generating, for compressing the received signals and outputting them with the extracted codes and time and date of recorder signals to a memory storing those

signals in endless cascaded rotation. Freshly stored signals replace the oldest signals stored in cascade. An alarm data signal for triggering the alarm state of the apparatus is received and the video signals recorded during the alarm state are recorded.

One feature of the present invention, as recited in claim 2, and as similarly recited in claim 13, includes a plurality of image data recorders coupled with the ID generator, to which the image data and the ID are applied, where the ID and the image data to which the ID is added are recorded in all of the plurality of image data recorders, respectively. Elberbaum does not disclose this feature.

The Examiner cites Fig. 17 to support the assertion that Elberbaum teaches where the ID and the image data to which the ID is added are recorded in each of the plurality of image data recorders. However, in Elberbaum, the video signal from the transmitter 2 is not applied to respective DVRs 1, 2, . . . n of a cascaded chain, but rather to one of the DVRs 1, 2, . . . n. (See, e.g., column 15, lines 8-56). To the contrary, in the present invention, the same ID and the same image data are *recorded into all of the plurality of image data recorders, respectively.*

Another feature of the present invention, as recited in claim 2, and as similarly recited in claim 13, includes a load balancer having a load factor table, coupled with the plurality of image data recorders, for selecting one of the plurality of the image data recorders on the basis of the load factor of the load factor table to output the image data, where the load factor relates to a number of command applied from the terminal unit. Elberbaum does not disclose this feature.

The load balancer of the present invention is different from the load balancer of Elberbaum. The video input distributor 54 in Fig. 17 of Elberbaum distributes the

video signals from the recording receiver 10 to either one of the DVR1 to DVRn, which are connected in cascade, as described at column 15, lines 52-56. On the other hand, the load balancer of the present invention operates to output from one of a plurality of the image data recorders based on the load factor of the load balancer, the load factor relating to a number of command applied from the terminal unit.

Therefore, Elberbaum fails to teach or suggest “a plurality of image data recorders coupled with said ID generator, to which said image data and said ID are applied, wherein said ID and said image data to which said ID is added are recorded in all of the plurality of image data recorders, respectively” as recited in claim 2, and as similarly recited in claim 13.

Furthermore, Elberbaum fails to teach or suggest “a load balancer having a load factor table, coupled with said plurality of image data recorders, for selecting one of said plurality of said image data recorders on the basis of the load factor of said load factor table to output said image data, wherein said load factor relates to a number of command applied from said terminal unit” as recited in claim 2, and as similarly recited in claim 13.

The above noted deficiencies of Elberbaum are not supplied by any of the other references of record, namely Chun, whether taken individually or in combination with each other. Therefore, combining the teachings of Elberbaum and Chun in the manner suggested by the Examiner still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

Chun teaches a multichannel image processor and security system. However, there is no teaching or suggestion in Chun of the image data recording

and reproducing system or the method for reproducing image data as recited in claims 2 and 13 of the present invention.

Chun discloses a security system employing a multichannel image processor. The security system includes: a multichannel image processor for selectively receiving image signals transmitted through a plurality of input channels and outputting the image signals; and a user's computer connected with the multichannel image processor through a communication interface. According to Chun, the user's computer controls a channel selection of the multichannel image processor in accordance with a set-up mode, displays signals input from the multichannel image processor through a display device corresponding to the set-up mode and/or record in a memory, supplies a main image display window for displaying the transmitted image signals and a manipulation key window for displaying keys for selecting the mode to be integrally displayed on a main frame, and has a multichannel image driver to process in accordance with the selected key. In the multichannel image processor and the security system, if the recording medium storing a multichannel image driver is installed in a computer, and the multichannel image processor is installed in a camera and the computer, a desired security system can be established. Thus, the utility of resources would be increased. Moreover, a separate job using the computer can be done during watching an object, and the camera can be remotely controlled.

One feature of the present invention, as recited in claim 2, and as similarly recited in claim 13, includes a plurality of image data recorders coupled with the ID generator, to which the image data and the ID are applied, where the ID and the

image data to which the ID is added are recorded in all of the plurality of image data recorders, respectively. Chun does not disclose this feature.

The Examiner relies upon Chun for teaching where each of the plurality of image data recorders includes the same ID and the same image data. However, in Chun, the output of one of the cameras 20a, 20b, 20c and 20d is not applied to all the memories and is not stored into all the memories. Instead, in Chun, the output of one of the cameras 20a, 20b, 20c and 20d is applied to one of the memories 35a, 35b, 35c and 35d, and stored into one of the memories 35a, 35b, 35c and 35d.

Another feature of the present invention, as recited in claim 2, and as similarly recited in claim 13, includes a load balancer having a load factor table, coupled with the plurality of image data recorders, for selecting one of the plurality of the image data recorders on the basis of the load factor of the load factor table to output the image data, where the load factor relates to a number of command applied from the terminal unit. Chun does not disclose this feature.

The Examiner states that Chun also discloses a load factor table, citing Figs. 12A and 12B, where depending on the movement (more or less) the image data are recorder. However, Figs. 12A and 12B of Chun are not the load factor table of the present invention. To the contrary, Figs. 12A and 12B show a memory capacity consumed when image data is recorded into a record device, as described in paragraph [0092]. This is quite different from the present invention.

Therefore, Chun fails to teach or suggest "a plurality of image data recorders coupled with said ID generator, to which said image data and said ID are applied, wherein said ID and said image data to which said ID is added are recorded in all of

the plurality of image data recorders, respectively” as recited in claim 2, and as similarly recited in claim 13.

Furthermore, Chun fails to teach or suggest “a load balancer having a load factor table, coupled with said plurality of image data recorders, for selecting one of said plurality of said image data recorders on the basis of the load factor of said load factor table to output said image data, wherein said load factor relates to a number of command applied from said terminal unit” as recited in claim 2, and as similarly recited in claim 13.

Both Elberbaum and Chun suffer from the same deficiencies, relative to the features of the present invention, as recited in the claims. Therefore, combining the teachings of Elberbaum and Chun in the manner suggested by the Examiner does not render obvious the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of claims 2-4, 8-11, 13, and 14 as being unpatentable over Elberbaum in view of Chun are respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references used in the rejection of claims 2-4, 8-11, 13, and 14.

Claims 5-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elberbaum in view of Chun, and further in view of U. S. Patent No. 6,292,098 to Ebata. Claims 5-7 are dependent on claim 2. Therefore, claims 5-7 are allowable for at least the same reasons previously discussed regarding claim 2.

In view of the foregoing amendments and remarks, Applicants submit that claims 2-11, 13 and 14 are in condition for allowance. Accordingly, early allowance of claims 2-11, 13 and 14 is respectfully requested.

To the extent necessary, the Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing Attorney Docket No. NIT-410).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

A handwritten signature in cursive script, appearing to read "Donna K. Mason", written over a horizontal line.

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